

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-2649**

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LESTER STOVALL,

Plaintiff - Appellant,

and

LYNDA S. STOVALL, and on behalf of others  
similarly situated, et el,

Plaintiff,

versus

PEPSI COLA DCLP,

Defendant - Appellee,

and

NOEL SMITH, Business Agent, Beverage Drivers  
Union Local #67; STEPHEN MCBRIDE, Secretary,  
Beverage Drivers Union Local #67; WILLIE  
BOYCE, Human Resources Manager, Pepsi Cola  
DCLP; SONNY BROOKEN, Chief Financial Officer,  
Pepsi Cola DCLP; GAVIN SAUNDERS, Warehouse  
Manager, Pepsi Cola DCLP; PAUL O'CONNOR,  
Supervisor, Pepsi Cola DCLP; JIM SCHULTZ, Gen-  
eral Manager, Pepsi Cola DCLP; INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS, AFL-CIO BEVERAGE  
DRIVERS LOCAL UNION #67,

Defendants.

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Appeal from the United States District Court for the District of Maryland, at Baltimore. Peter J. Messitte, District Judge. (CA-95-303-PJM)

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Submitted: February 13, 1997                      Decided: February 25, 1997

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Before WIDENER and HAMILTON, Circuit Judges, and BUTZNER,\* Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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Lester Stovall, Appellant Pro Se. Stephen Daniel Graeff, Phillip Matthew Schwartz, CARR, MORRIS & GRAEFF, Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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\* Senior Judge Butzner did not participate in consideration of this case. The opinion is filed by a quorum of the panel pursuant to 28 U.S.C. § 46(d).

PER CURIAM:

Appellant appeals the district court's order granting Defendants' motion for summary judgment and dismissing his complaint filed pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2 (1994), and 42 U.S.C. § 1981 (1994). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Stovall v. Pepsi Cola DCLP, No. CA-95-303-PJM (D. Md. Sept. 25, 1996). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED